

A. Purpose.

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- Map 1**
Channel Riverwalk
District
- Lake Havasu**
- Isles Condos**
- Isleside Condos**
- North**

3. The district standards are designed to encourage mixed uses with architectural design guidelines as outlined in Section E (Development Standards) of this document.
4. The development and use standards contained in this Section are designed to implement the land use policies of the General Plan.

B. Open Space/Shoreline Dedication

1. A goal of the Channel Riverwalk area is to maintain existing public access as well as expand the city's opportunity to provide better public access from adjoining city right-of-way to the shoreline and along the shoreline areas within the District to the citizens of Lake Havasu City. This goal will be achieved by:

- a. Securing city ownership of property along the shoreline when possible
 - b. Securing pedestrian easements from right-of-way to shoreline
 - c. Securing pedestrian easements along the shoreline
2. The City will require new development to provide a public access plan to be approved as part of the Design Review process. Said plan shall include shoreline access, if applicable, and proposed public access from adjoining City right-of-way through the project to the shoreline. The City could require a parcel be dedicated to the city to assure public access.

C. Permitted Land Uses

1. Art, antiques, collectible, and gift stores
2. Bars/Nightclub (accessory use only)
3. Business support services
4. Conference facilities
5. General retail (except furniture, home furnishings and equipment, hardware stores, pet supply stores,)
6. Health fitness facilities
7. Hotels and motels
8. Museums, and galleries
9. Personal services as accessory uses
10. Public Parking facilities
11. Residential
12. Resort
13. Restaurants
14. Theaters

No residential uses or hotel/motel rooms shall be allowed on the grade level of adjacent Riverwalk frontage. Hotel/motel registration areas are allowed on the grade level of adjacent Riverwalk frontage. The total number of new residential dwelling units shall not exceed 336 units for the entire district. Residential units shall be allocated on a first come basis and the Development Services Department shall be responsible to track the number of units available for allocation to new developments. The 336 unit limitation only applies to new units added after the adoption date of this ordinance and does not include the units in existence within the district on the date of adoption of this ordinance. Once the 336-unit threshold has been reached, no new residential units shall be allowed.

D. Water-based Uses

1. The Channel is intended to accommodate water-dependent land uses which are supportive of principle uses on adjacent riparian lots, and that are consistent with the Bridgewater Channel area. The Channel, for the purpose of water-based uses is defined as the water surface area of the waterway extending north and south to the Lake Havasu City limits and land area along its shorelines extending to the 450

elevation including a 40 foot wide pedestrian access easement on both sides of the channel.

a. **Uses permitted with a Conditional Use Permit**

The following land uses may be allowed with Conditional Use Permit approval.

- i. Public docks for courtesy boat mooring meeting the design and construction standards of this chapter are permitted by conditional use permit in accordance with conditions on approval which may include but are not limited to, time of day of mooring; number, size, type and use of watercraft to be moored and dock size, dimensions and location.
- ii. Navigational buoys and structures as approved by the U.S. Coast Guard and Lake Havasu City police department;
- iii. Accessory structures including, ticket booths, kiosks, fences, piers, and retaining walls; and
- iv. Filling and dredging, provided the necessary federal permits have been obtained.

b. **Prohibited uses**

- i. Watercraft fueling and repair facilities
- ii. Commercial water uses; such as but not limited to: boat/jet ski rentals, boat towing, private mooring, on-water vending

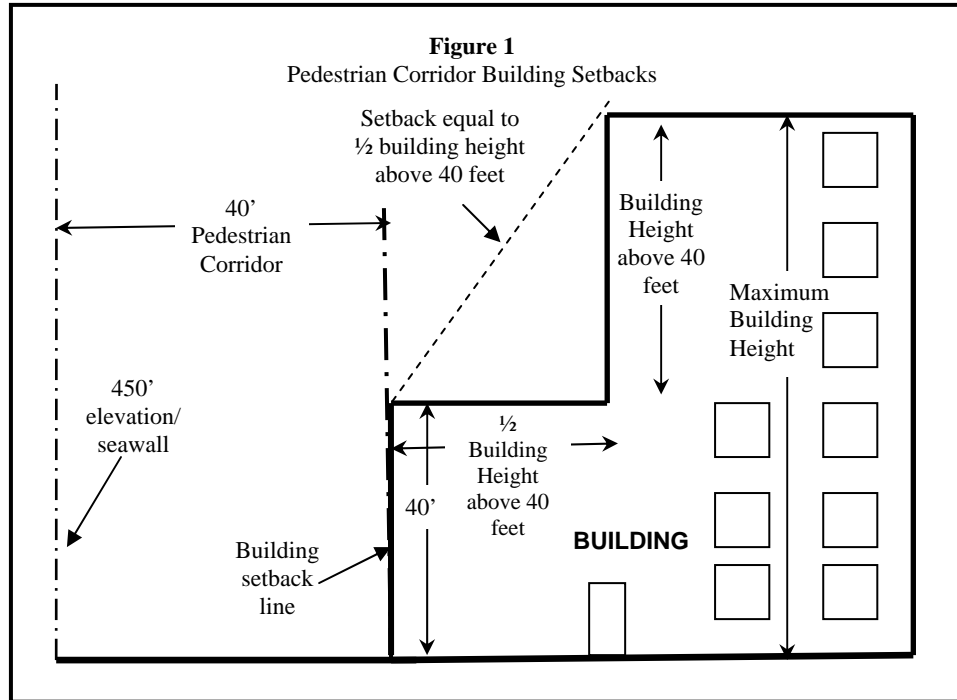
E. Development Standards

These development standards are intended to encourage/expand land uses, enhance the economic viability, and encourage public/pedestrian use of the channel area through excellence in building and site design.

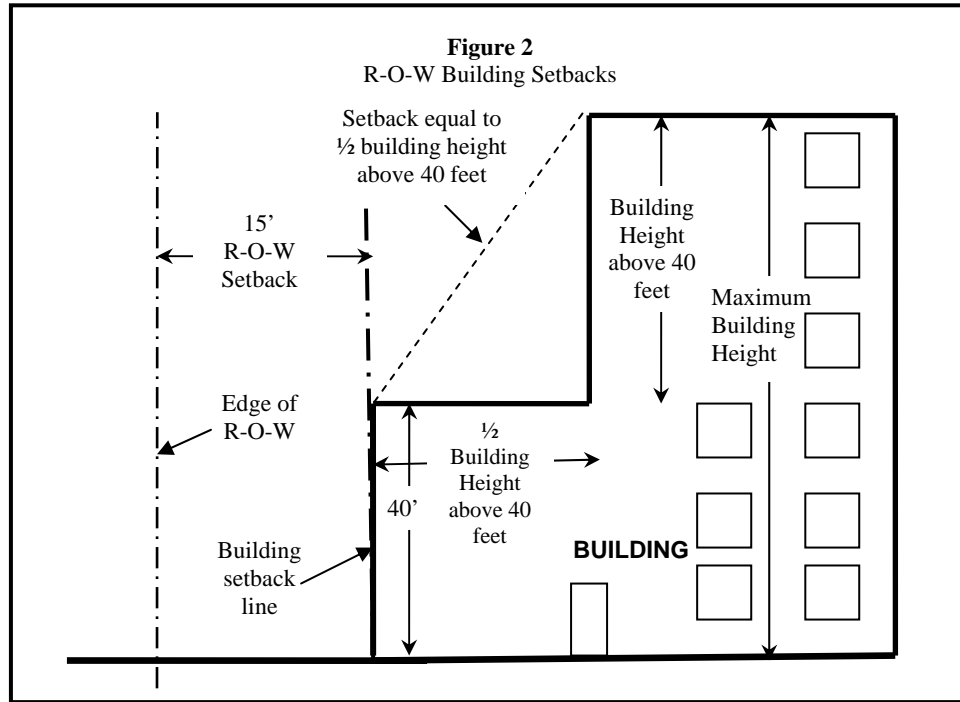
1. **Building Height**

- a. **Maximum Height:** Building height for structures shall be 60 feet. Parking structures will have a maximum height of 48 feet. Building height shall be the vertical distance from approved grade to an imaginary plane located the allowed number of feet above and parallel to the average lot grade, as defined in Section 14.30.070. A maximum building height of 90 feet may be requested through the planned unit development process as outlined in Section 14.44.070 of the Lake Havasu City Code. The planned unit development process is aimed at incorporating creativity and flexibility in the site design and architectural form. In exchange for the flexibility allowed by the planned unit development process, the City will negotiate with developers to provide additional public parking. It is the City's intent to increase public parking as much as possible in this area to address special events and peak demand times. In addition, the City will negotiate to increase the amount of commercial/retail space/floor area to encompass the second floors of a proposed development. Other considerations as provided for in Section 14.44.070 (Planned Unit Development) may be negotiated.

- b. Enclosed structures shall be setback from the property line along the channel or 450 elevation line at a ratio of one foot of building height to one foot of setback for the first 40 feet. Additional height above 40 feet will be allowed at a ratio of one foot of building height for every $\frac{1}{2}$ foot of setback. (See Figure 1). Parking garages shall be setback a minimum of 100 feet inland from the channel or 450 foot elevation line.



- c. Enclosed structures and parking garages shall be setback a minimum of 10 feet from all right-of-way property lines. Additional height above 40 feet will be setback at a ratio of one foot of building height for every $\frac{1}{2}$ foot of setback measured from the 10 foot right-of-way setback line. (See Figure 2). Parking garages shall be setback a minimum of 100 feet inland from the channel or 450 foot elevation line.



2. **Parking**

Providing additional public parking has been determined by the community to be a critical issue in this area. The City will negotiate with developers to provide additional public parking. It is the City's intent to increase public parking as much as possible in this area to address special events and peak demand times. Proposed developments will be encouraged to provide additional public automobile and RV/boat parking in areas within walking distance (approximately $\frac{1}{4}$ mile) of the channel and/or lake.

a. **Vehicle Parking**

- i. Parking requirements for all uses within the area shall comply with Chapter 14.36.
- ii. All ADA parking requirements for uses within the area shall be met.
- iii. Parking structures are allowed up to a maximum height of 48 feet.

b. **Courtesy Boat Mooring**

- i. Public courtesy boat mooring may be provided for developments within the area. Public boat mooring can be used to reduce the number of required vehicle parking spaces at a rate of 1 vehicle space for each 1 boat space provided, up to a maximum of 20 spaces. Any boat parking shall be

provided by an approved docking facility and shall be approved by the Army Corp. of Engineers and all other applicable reviewing agencies.

3. Water-based Standards

- a. All uses and accessory structures shall be setback 50 feet from the vertical face of London Bridge, and 35 feet from projecting bridge supports.
- b. Floating docks shall be constructed from all-weather durable materials and maintained in a safe condition.
- c. Docks and other platforms shall be attached to pilings in compliance with the adopted Building Code.
- d. Storage containers or other structures shall conform to and be compatible with the color and design of surrounding structures.

4. Landscaping – Landscaping requirements shall be in conformance with Chapter 14.32 of the Development Code.

5. Open Space – The minimum open space area shall be 10% of the gross site area in addition to the minimum landscape area required in Chapter 14.32.

6. Shoreline access parcel/easement

A pedestrian access parcel of at least 40 feet in width shall be dedicated to the city to ensure free and unobstructed public access. In the event a parcel cannot be dedicated, a pedestrian access easement of at least 40 feet in width shall be provided from the 450 elevation or adjacent seawall.

- a. A minimum of one 15 foot wide pedestrian access easement is required from the right-of-way to the shoreline/pedestrian easement to ensure free and unobstructed public access.
- b. Pedestrian access areas shall include shaded areas, benches, and linkages to building entrances.

F. Design Review

1. Applicable Review

- a. The Lake Havasu City Council upon recommendation of the Lake Havasu City Planning Commission shall be responsible for the review and approval of all Design Review applications related to the District. The Planning Commission shall conduct a hearing on an application and forward a recommendation to the City Council before the approval or disapproval of the Design Review by the City Council. The Director shall submit a staff report and recommendation to the Planning Commission for their consideration.
- b. A use shall not be established nor shall a Building Permit be issued for a new structure, or for the substantial alteration of any existing use or structure, until a Design Review application including drawings, elevations, plans, site plans, and other documents have been reviewed and approved by the City Council.
- c. The Director may approve minor changes to an approved site plan, architecture, or nature of the approved use as long as the changes are consistent with all provisions

of the Development Code and the District. No hearing is required for the Director's action on a minor change to a Design Review.

2. Design Review Criteria

a. Shoreline Access Design

- i. All structures, including fences, shall be compatible with surrounding area and constructed from materials that can endure the desert environment.
- ii. Pedestrian corridor areas shall include provision of shaded areas and linkages to building entrances.
- iii. Outdoor lighting shall be provided, and shall be compatible with the surrounding area.
- iv. Benches shall be provided along pedestrian corridors.
- v. Accessory outdoor seating may be permitted through design review approval for restaurant dining uses only and shall extend no more than 10 feet from the building.
- vi. Artwork displays associated with an on-site gallery may be permitted through design review approval and shall extend no more than 10 feet from the building.
- vii. To promote continuity within the shoreline access parcel/easement, amenities along the channel such as public benches, shade structures, colors schemes, building materials, decorative ornaments, ground cover, landscaping materials and lighting fixtures shall be consistent with existing development within the district.

b. Open Space Design

Developments shall provide an open space plan showing the area required in subsection E(5) . Open space may also include:

- i. Public open space
- ii. View corridors (Horizontal at-grade area)
- iii. Pedestrian access easements
- iv. Landscape areas
- v. Multi-purpose paths
- vi. Building setback areas
- vii. Shoreline access parcels/easement

During design review special consideration will be given to encourage open space design nearest/adjacent to the London Bridge. The design should be based on the merit of each individual project, good design practices and the specific site location.

3. Findings required

Approval of a new or expanded land use or development in the shoreline access parcel/easement shall require the following findings, in addition to those required for the approval of a Conditional Use Permit by Section 14.44.050:

- a. The use or structure will not adversely affect safe navigation in the channel;

- b. The use or structure will maintain or enhance the distinctive charm and visual appeal of the London Bridge and Bridgewater Channel area;
- c. Public access to the shoreline will be preserved and/or enhanced;
- d. No significant adverse environmental effects will result from the use or structure or identified adverse effects have been adequately addressed by the applicant;
- e. There are adequate on-site parking and access facilities for the use; and
- f. The use or structure complies with the applicable development standards of the channel land use policies, and General Plan.

4. Building Design

- a. Horizontal building planes shall not exceed 150 ft. adjacent to channel/pedestrian corridor. A significant architectural feature or a view corridor must be provided to prevent long building frontages along the channel.
- b. Exterior building materials, colors, and treatments, including fences and walls, shall be compatible with the surrounding natural environment.
- c. The architectural features of buildings should encourage facades that have prominent cornice and expression lines and windows. The expression lines and cornices should be decorative molding and jog in the surface plane of the building. No neon or similar type building accent is allowed. Buildings may include projections into the access easement to identify/establish entrances and to provide shade for the pedestrian users of the easement. Decorative moldings and other architectural features may be allowed to project into the shoreline access parcel/pedestrian access easement.
- d. Exterior finishes of buildings must be of a non-combustible material.



G. Exceptions

Exceptions from the development standards for the Channel Riverwalk District shall be requested through the planned unit development process as outlined in Lake Havasu City Code Section 14.44.070.

H. Implementation

Implementation of these district standards shall be done at the request of the individual property owners located within the district. All applications for rezoning to this district shall be submitted as prescribed in Section 14.58 (Public Hearing) of the Lake Havasu City Code and shall include a development agreement as authorized by Arizona Revised Statutes Section 9-500.05.

1. A development agreement is an agreement between Lake Havasu City and a landowner that may specify or relate to, but not limited to, the following:

- a. Duration of the agreement
- b. Permitted uses of property subject to the agreement
- c. Density and intensity of uses and building height
- d. Reservation or dedication of land for public use
- e. Phasing or time of construction or development
- f. Requirements and financing of public infrastructure improvement.
- g. Any other matters relating to the development of the property.